

REMARKS

Claims 1-37, 39, 41, 43 and 45-53 are pending. Of those, claims 1, 18, 19 and 20 are independent. By this reply, claims 38, 40, 42 and 44 have been canceled without prejudice to or disclaimer of the subject matter contained therein. Also, this reply has added claims 46-53.

On October 5, 2005, one of Applicants' representatives was contacted by Examiner Shah. Among other things, he indicated his belief that the claims should be amended in order to distinguish over the applied art. Included within the various claim changes made by the present communication, the Examiner will recognize that the "at least indirectly from a video card" language (now being recited by, e.g., independent claim 1) corresponds to possible claim amendments discussed during the interview. Further, Applicant appreciates the Examiner's cooperation, particularly in the form of initiating and conducting the interview.

§103 Rejection Based Upon Kadyk et al. Patent

Beginning on page 2 of the Office Action, claims 1-45 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,930,399 to Kadyk et al. (the '399 patent) in view of U.S. Patent No. 6,014,616 to Kim (the '616 patent). Applicant traverses.

As claims 38, 40, 42 and 44 have been canceled by this communication, their rejection is moot.

Putting aside for the moment Applicant's previously explained distinctions, it is submitted that a further distinction of claim 1 (for example) over the combination of a '399 patent and the '616 patent is acquiring non-text display-generation data at least indirectly from a video card. It will be assumed for the sake of argument that at least one of the '399 patent and the '616 patent discloses manipulation of some sort of non-text display-generation data. Neither the '399 patent nor the '616 patents suggests, much less discloses, that the non-text display-generation data which is to be manipulated should be obtained at least indirectly from a video card.

In view of the foregoing discussion, the § 103 rejection of claim 1 over a combination of the '399 patent and the '616 patent is improper. Claims 2-17 and 39 depend at least indirectly from claim 1, respectively, and share at least the above-discussed distinctions of claim 1 by dependency.

Each of independent claims 18, 19 and 20 recite features similar to the distinctions over the combination of the '399 and '616 patents noted above. Claims 21-37, 41, 43 and 45 depend at least indirectly from claims 18-20, respectively, and share at least their respective distinctions of over the combination of the '399 and '616 patents by dependency.

In view of the foregoing discussion, § 103(a) rejection of claims 1-37, 39, 41, 43 and 45-53 over the combination of the '399 and '616 patents is improper and Applicant requests that it be withdrawn.

NEW CLAIMS 46-53

Again by this reply, claims 46-53 have been added. Claims 46-53 depend from independent claims 1, 18, 19 and 20 at least indirectly, respectively. As such, claims 46-53 share the distinctions of claims 1 and 18 – 20 at least by dependency, respectively.

CONCLUSION

The issues in the case were considered to be resolved. Accordingly, Applicant again requests a Notice of Allowability.

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Person to Contact

In the event that any matters remain at issue in the application, the Examiners are invited to contact the undersigned at (703) 668-8000 in the Northern Virginia area, for the purpose of a telephonic interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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